



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF RALPH CONSERVA,)
PETITIONER v. ELIZABETHTOWN)
WATER COMPANY, RESPONDENT)
)
)

ORDER ADOPTING
INITIAL DECISION

BPU Docket No. WC02040238U
OAL Docket No. PUC 3117-03

(SERVICE LIST ATTACHED)

BY THE BOARD:

On April 8, 2002, Ralph Conserva (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing alleging overbilling by Elizabethtown Water Company (Respondent). On March 4, 2003, Respondent filed an answer denying the allegations.

On March 10, 2003, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Edith Klinger.

During the pendency of this matter at the OAL, the parties engaged in negotiations and executed a Stipulation of Dismissal. The settlement was submitted to the ALJ for review. On June 27, 2003, ALJ Klinger filed her Initial Decision with the Board, recommending that the settlement be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

The settlement provides, in part, that Petitioner will pay Elizabethtown Water Company the sum of \$576.67 on or before July 15, 2003. Upon receipt of payment, Elizabethtown Water Company will sign a release of any claims it has against Petitioner for the disputed bill of \$1,203.30.

After review, the Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Dismissal in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: 8/7/03

BOARD OF PUBLIC UTILITIES
BY:

SIGNED

JEANNE M. FOX
PRESIDENT

SIGNED

FREDERICK F. BUTLER
COMMISSIONER

SIGNED

CAROL J. MURPHY
COMMISSIONER

SIGNED

CONNIE O. HUGHES
COMMISSIONER

SIGNED

JACK ALTER
COMMISSIONER

ATTEST:

SIGNED

KRISTI IZZO
SECRETARY

Ralph Conserva v. Elizabethtown Water Company

BPU Dkt. No. WC02040238U

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SERVICE LIST

Ralph F. Conserva
9 Clydesdale Court
Plainsboro, NJ 08536

Walter M. Braswell, Esq.
Elizabethtown Water Company
600 South Avenue
P.O. Box 788
Westfield, NJ 07091-0788

Kent Papsun, Director
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

Jeff Slutzky, Esq.
Division of Law
124 Halsey St. - 5th Floor
Newark, NJ 07102